

Senate Bill 418

By: Senators Wilkinson of the 50th, Harper of the 7th, Mullis of the 53rd, Anderson of the 24th and Black of the 8th

LOST

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling
2 and other trade practices, so as to prohibit county, municipal, and consolidated governments
3 from banning the sales of goods, products, or items regulated by the United States
4 Department of Agriculture, the United States Food and Drug Administration, or the Georgia
5 Department of Agriculture, which are sold at properly zoned retail establishments; to provide
6 for definitions; to provide for related matters; to provide for an effective date; to repeal
7 conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other
11 trade practices, is amended by adding a new article to read as follows:

12 **"ARTICLE 35**

13 **10-1-920.**

14 **As used in this article, the term:**

15 **(1) 'Goods' shall have the same meaning as provided for in paragraph (1) of Code**
16 **Section 11-2-105.**

17 **(2) 'Retail establishment' means a business establishment owned by an individual,**
18 **partnership, corporation, association, or other business entity which sells goods or**
19 **services at retail.**

20 **10-1-921.**

21 **No city, county, consolidated government, or other local governing authority of this state**
22 **shall prohibit, ban, or otherwise restrict the sale by a retail establishment of goods,**
23 **products, or items which are regulated by the United States Department of Agriculture, the**

24 United States Food and Drug Administration, or the Georgia Department of Agriculture,
25 unless otherwise authorized by statute, so long as such sales are in compliance with any
26 such regulations or laws and such retail establishment is in compliance with applicable
27 zoning regulations."

28 **SECTION 2.**

29 This Act shall become effective upon its approval by the Governor or upon its becoming law
30 without such approval.

31 **SECTION 3.**

32 All laws and parts of laws in conflict with this Act are repealed.